IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE A.GOPAL REDDY
and
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO : 20379 of 2005

DATE:08.10.2007

Between:

M. Sivaparvathi

..... PETITIONER

AND

1. The Station House Officer, Town Police Station, Tenali, Guntur District, and another.

.....RESPONDENTS

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ORAL ORDER: (per Hon'ble Sri Justice P. Swaroop Reddy)

This writ petition is taken up on the basis of the telegram, dated 22.09.2007 issued by one M. Sivaparvathi, addressing the Hon'ble the Chief Justice, alleging that her husband, namely, Melika Srinu was illegally detained by the Tenali I-Town Police since 13.09.2007.

On issuance of notice, the Sub-Inspector of Police, I-Town Police Station, Tenali, filed counter affidavit stating that the alleged detenu is accused No.4 in Crime Nos.103 to 107 of 2007 for the offence under Section 41(ii) of Cr.P.C. of I-Town Police Station, Tenali, which was registered on 23.09.2007 on the allegation that in the intervening night of 23/24.09.2007 the accused along with others was found lurking under the shadow of a wall of Vykuntapuram Temple and tried to conceal his identity and tried to run away on seeing the police. the learned Mandal Executive Magistrate, Tenali took the information as M.C.No.46 of 2007 under Section 109 Cr.P.C., and released the alleged detenu along with others on their furnishing self bonds. The F.I.R. and remand report are filed along with the counter affidavit.

Thus the allegation that the husband of the petitioner was illegally detained and not produced before the learned Magistrate is found to be incorrect. Accordingly, the Writ Petition is dismissed at the stage of admission.

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(A. GOPAL REDDY, J.)

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(P. SWAROOP REDDY, J.)

8th October, 2007

Js.